

## SENATE BILL No. 329

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-1.1-20.6-9.9.

**Synopsis:** Allocation of circuit breaker credits by schools. Extends for three additional years the statute allowing a school corporation to allocate circuit breaker credits proportionately under certain circumstances (without taking protected taxes into account). Provides that during these three additional years, a school corporation may allocate circuit breaker credits proportionately, without taking protected taxes into account, if the amount of circuit breaker credits against the school corporation's transportation fund levy is greater than 20% (rather than 10%, under current law) of the school corporation's transportation fund levy.

**Effective:** Upon passage.

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January 7, 2016, read first time and referred to Committee on Appropriations.

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Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## SENATE BILL No. 329

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 6-1.1-20.6-9.9, AS ADDED BY P.L.120-2014,  
2       SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       UPON PASSAGE]: Sec. 9.9. (a) A school corporation is eligible to  
4       allocate credits proportionately under this section:

5               (1) for 2014, 2015, or 2016, if the school corporation's percentage  
6               computed under ~~this~~ subsection (b) is at least ten percent (10%)  
7               for its transportation fund levy for that year, as certified by the  
8               department of local government finance; and

9               (2) for 2017, 2018, or 2019, if the school corporation's  
10              percentage computed under subsection (b) is at least twenty  
11              percent (20%) for its transportation fund levy for that year,  
12              as certified by the department of local government finance.

13       (b) A school corporation shall compute its percentage ~~under this~~ for  
14       purposes of subsection (a) as follows:

15              (1) Compute the amount of credits granted under this chapter  
16              against the school corporation's levy for the school corporation's  
17              transportation fund.



(2) Compute the school corporation's levy for the school corporation's transportation fund.

(3) Divide the amount computed under subdivision (1) by the amount computed under subdivision (2) and express it as a percentage.

The computation must be made by taking into account the requirements of section 9.8 of this chapter regarding protected taxes and the impact of credits granted under this chapter on the revenue to be distributed to the school corporation's transportation fund for the particular year.

~~(b)~~ (c) A school corporation that desires to be an eligible school corporation under this section must, before May 1 of the year for which it wants a determination, submit a written request for a certification by the department of local government finance that the computation of the school corporation's percentage under subsection ~~(a)~~ (b) is correct. The department of local government finance shall, not later than June 1 of that year, determine whether the percentage computed by the school corporation is accurate and certify whether the school corporation is eligible under this section.

~~(c)~~ (d) For a school corporation that is certified as eligible under this section, the school corporation may allocate the effect of the credits granted under this chapter proportionately among all the school corporation's property tax funds that are not exempt under section 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and without taking into account the requirements of section 9.8 of this chapter regarding protected taxes.

**SECTION 2. An emergency is declared for this act.**

